

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DARRYL C. CARTER,

Plaintiff,

-against-

KEECHANT L. SEWELL, et al.,

Defendants.

1:23-cv-01139 (JLR) (RWL)

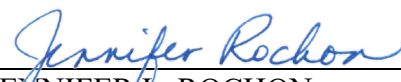
**ORDER**

JENNIFER L. ROCHON, United States District Judge:

Plaintiff's motion for default (*see* ECF No. 57) is hereby DENIED. When denying Plaintiff's initial motion for default, the Magistrate Judge already correctly stated that the Court extended the time for Defendants to respond to the Complaint, and that Defendants' motion to dismiss the Complaint is not due until September 18, 2023. *See* ECF No. 56. Defendants are therefore not in default, and Plaintiff's motion is wholly without merit.

Dated: August 28, 2023  
New York, New York

SO ORDERED.

  
\_\_\_\_\_  
JENNIFER L. ROCHON  
United States District Judge